

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CARDARELL L. NASH, #1810340	§	
VS.	§	CIVIL ACTION NO. 6:19cv291
AWUAH SAMPSON BAFFOUR, et. al.	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Cardarell Nash, an inmate confined within the Texas Department of Criminal Justice (TDCJ) proceeding *pro se*, filed this motion for a temporary restraining order/preliminary injunction concerning his former housing at the Michael Unit. The motion was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations.

On February 28, 2022, Judge Mitchell issued a Report (Docket No. 3) recommending that Plaintiff's motion for a temporary restraining order/preliminary injunction be denied as moot and that Plaintiff's lawsuit be dismissed with prejudice. A copy of this Report was sent to Plaintiff at his last-known address. To date, however, objections have not been filed.

The Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other*

*grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten days to fourteen days).


Here, Plaintiff has not filed objections. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 3) as the findings of this Court. Therefore, it is

**ORDERED** that Plaintiff's motion for a temporary restraining order/preliminary injunction (Docket No. 1) is **DENIED** as **MOOT** and the above-styled lawsuit is **DISMISSED** with prejudice. Finally, it is

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **29th** day of **March, 2022**.

  
JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE